MEMORANDUM

DATE: March 30, 2007

TO: Ms. Sharon L. Summers, DSS
             Policy, Program and Development Unit

FROM: Daniese McMullin-Powell, Chairperson
             State Council for Persons with Disabilities

RE: 10 DE Reg. 1398 [Proposed "Work for Your Welfare" Regulations]

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Health and
Social Services/Division of Social Services (DSS) proposed regulations regarding the reduction of
public assistance benefits and simplified food stamp program. The "Work for Your Welfare"
regulations were published as 10 DE Reg. 1398 in the March 1, 2007 issue of the Register of
Regulations. SCPD believes that some revisions have a negative effect on beneficiaries [e.g. Section
9082, Par. 9] and some have a positive effect on beneficiaries [e.g. Section 9092, Par. a)]. In
general, the standards stress employment to the detriment of job search and training activities.
Council has the following observations.

First, although not earmarked for amendment, DSS may wish to delete the extraneous "or" in
Section 9082, first sentence, between "GA)" and "have".

Second, in Section 9092, since Par. 2 refers to "state" minimum wage, Par. 1 should be amended by
inserting either "state" or "federal" prior to "minimum wage". Otherwise, it is unclear which
minimum wage is used in the calculation.

Third, Section 9092 is confusing. The standards at the top of p. 1400 are prescriptive and literally
require households to work a certain number (30-55) of hours. This is followed by a formula which
can result in a fewer required work hours. See Par. 5 (lesser of the above 30-55 hours and number of
hours determined by formula). It would be preferable to reconcile these ostensibly inconsistent
provisions.

Fourth, in the "Summary" section on p. 1401, first bullet, the new standard actually expands the

exemption from work for a single parent with an infant (i.e. from infant under 13 weeks to under 12 months). The 12-month standard appears to be the TANF norm. <u>See</u> 16 DE Admin Code 3006.1. Moreover, there does not appear to be an explicit cut-off based on infant age in the Food Stamp Program. <u>See</u> 16 DE Admin Code 10003.1. Therefore the "bullet" inaccurately recites that it "<u>lowers </u>the age at which a child exempts a single custodial parent from work requirements".

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our observations on the proposed regulations.

 cc: Ms. Elaine Archangelo
         Ms. Andrea Guest
         Governor's Advisory Council for Exceptional Citizens
         Developmental Disabilities Council